

Express Mail Label No. EV 269993757 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: P. Bonutti

Confirmation No.:

Application No.: To be Assigned  
(Continuation of App No. 10/191,751)  
Filed: Herewith

Group Art Unit:  
Examiner:  
Attorney Docket No.: 780-A03-012C

For: KNEE ARTHROPLASTY METHOD

**INFORMATION DISCLOSURE STATEMENT  
PURSUANT TO 37 C.F.R. § 1.56**

Commissioner for Patents  
Alexandria, VA 22313

Sir:

In accordance with the duty of disclosure provisions of C.F.R. § 1.56, there is hereby provided certain information, which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

A revised Form PTO/SB/08 listing all patents, publications, applications, or other information submitted for consideration is enclosed. Copies of the listed documents from prior Application No. 10/191,751, filed July 8, 2002, of which this application claims priority under 35 U.S.C. § 120, are not being submitted pursuant to 37 C.F.R. § 1.98(d).

No admission is made that the information cited in this Statement is, or is considered to be prior art, material to patentability nor a representation that a search has been made.

This Information Disclosure Statement is filed under 37 C.F.R. § 1.97(b) before the latter of three months after the U.S. patent application filing date or the first Office Action on the merits. Accordingly, no fee or certification is required.

Respectfully submitted,

Dated: Nov. 25, 2003



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PTO/SB/08A (10-96)

Approved for use through 10/31/99. OMB 0651-0031

Patent and Trademark Office: U.S. Department of Commerce

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION</b> (use as many sheets as necessary)				Complete If Known	
				Application Number	
				Filing Date	
				First Named Inventor	Peter M. Bonutti
				Group Art Unit	
				Examiner Name	Unknown
Sheet	1	of	6	Attorney Docket Number	780-A03-012C
<b>U.S. PATENT DOCUMENTS</b>					
Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YY
	AA	3,229,006		Nohl	01/11/66
	AB	3,624,747		McKnight	11/30/74
	AC	3,807,393		McDonald	10/14/75
	AD	3,903,549		Deyerle	09/09/75
	AE	3,911,923		Yoon	10/14/75
	AF	3,920,022		Pastor	11/18/75
	AG	3,967,625		Yoon	07/06/76
	AH	3,989,049		Yoon	11/02/76
	AI	3,991,426		Flom	11/16/76
	AJ	3,994,287		Turp	11/30/76
	AK	4,053,953		Flom	10/18/77
	AL	4,085,466		Goodfellow	04/25/78
	AM	4,085,743		Yoon	04/25/78
	AN	4,103,680		Yoon	08/01/78
	AO	4,299,224		Noiles	11/10/81
	AP	4,311,145		Esty	01/19/82
	AQ	4,344,193		Kenny	08/17/82
	AR	4,374,523		Yoon	02/22/83
	AS	4,385,404		Sully	05/01/83
	AT	4,509,518		McGarry	04/09/85
	AU	4,545,375		Cline	10/08/85
	AV	4,619,391		Sharkany	05/05/87
Examiner				Date Considered	

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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				First Named Inventor	Peter M. Bonutti
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				Examiner Name	Unknown
Sheet	2	of	6	Attorney Docket Number	780-A03-012C
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	AW	4,624,254		McGarry	11/25/86
	AX	4,641,648		Shapiro	02/10/87
	AY	4,662,372		Sharkany	05/05/87
	AZ	4,682,598		Beraha	07/28/87
	BA	4,685,460		Thornton	08/11/87
	BB	4,817,602		Beraha	04/04/89
	BC	4,936,852		Kent	06/25/90
	BD	4,961,954		Goldberg	10/09/90
	BE	4,964,865		Burkhead	10/23/90
	BF	4,985,038		Lyell	01/15/91
	BG	5,032,132		Matsen	07/16/91
	BH	5,060,678		Bauman	10/29/91
	BI	5,098,437		Kashuba	03/24/92
	BJ	5,100,689		Goldberg	03/31/92
	BK	5,108,441		McDowell	03/28/92
	BL	5,111,987		Moeinzadeh	05/12/92
	BM	5,123,906		Kelman	06/23/92
	BN	5,152,744		Krause	10/06/92
	BO	5,152,778		Bales	10/06/92
	BP	5,170,800		Smith	12/15/92
	BQ	5,171,243		Kashuba	12/15/92
Examiner				Date Considered	

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Substitute for form 1449A/PTO

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(use as many sheets as necessary)

Application Number	
Filing Date	
First Named Inventor	Peter M. Bonutti
Group Art Unit	
Examiner Name	Unknown

Sheet

3

of

6

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
BR	5,174,300			Bales	12/29/92	
BS	5,176,702			Bales	01/05/93	
BT	5,178,622			Lehner	01/12/93	
BU	5,183,053			Yeh	02/02/93	
BV	5,186,178			Yeh	02/16/93	
BW	5,197,968			Clement	03/30/93	
BX	5,197,987			Koch	03/30/93	
BY	5,207,692			Kraus	05/04/93	
BZ	5,258,004			Bales	11/02/93	
CA	5,273,524			Fox	12/28/93	
CB	5,275,166			Vaitekunas	01/04/94	
CC	5,293,878			Bales	03/15/94	
CD	5,322,505			Krause	06/21/94	
CE	5,348,541			Lyell	09/20/94	
CF	5,368,599			Hirsch	11/29/94	
CG	5,425,745			Green	06/20/95	
CH	5,454,815			Geisser	10/03/95	
CI	5,456,720			Schultz	10/10/95	
CJ	5,472,415			King	12/05/95	
CK	5,484,095			Green	01/16/96	
CL	5,497,933			Defonzo	03/12/96	
Examiner				Date Considered		

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION</b> (use as many sheets as necessary)				Complete If Known	
Sheet	4	of	6	Attorney Docket Number	780-A03-012C
<b>U.S. PATENT DOCUMENTS</b>					
Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YY
	CM	5,514,139		Goldstein	05/07/96
	CN	5,522,897		King	06/04/96
	CO	5,554,169		Green	03/12/96
	CP	5,569,163		Francis	10/29/96
	CQ	5,570,700		Vogeler	11/05/96
	CR	5,593,448		Dong	01/14/97
	CS	5,597,379		Haines	01/28/97
	CT	5,624,463		Stone	04/29/97
	CU	5,632,745		Schwartz	05/27/97
	CV	5,643,272		Haines	07/01/97
	CW	5,649,946		Bramlet	07/22/97
	CX	5,667,069		Williams	09/16/97
	CY	5,702,447		Walch	12/30/97
	CZ	5,702,475		Zahedi	12/30/97
	DA	5,707,350		Krause	01/13/98
	DB	5,712,543		Sjostrom	01/27/98
	DC	5,718,708		Webb	02/16/98
	DD	5,723,331		Tubo	03/03/98
	DE	5,755,731		Grinberg	05/26/98
	DF	5,755,803		Haines	05/26/98
	DG	5,769,899		Schwartz	06/23/98
Examiner				Date Considered	

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				<b>First Named Inventor</b>	Peter M. Bonutti
				<b>Group Art Unit</b>	
				<b>Examiner Name</b>	Unknown
Sheet	5	of	6	Attorney Docket Number	<b>780-A03-012C</b>
<b>U.S. PATENT DOCUMENTS</b>					
Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YY
	DH	5,810,827		Haines	09/22/98
	DI	5,817,109		McGarry	10/06/98
	DJ	5,846,931		Hattersley	12/08/98
	DK	5,866,415		Villeneuve	02/02/99
	DL	5,871,493		Sjostrom	02/16/99
	DM	5,879,354		Haines	03/09.99
	DN	5,880,976		DiGioia et al.	03/09/99
	DO	5,899,914		Zirps	05/04/99
	DP	5,913,874		Berns	07/22/99
	DQ	5,921,990		Webb	07/13/99
	DR	5,995,738		Di Gioia et al.	11/30/99
	DS	5,997,566		Tobin	12/07/99
	DT	6,002,859		Di Gioia et al.	12/14/99
	DU	6,015,419		Strome	01/18/00
	DV	6,022,350		Ganem	02/08/00
	DW	6,056,754		Haines	05/02/00
	DX	6,077,287		Taylor	06/20/00
	DY	6,090,122		Sjostrom	07/18/00
	DZ	6,099,532		Florea	08/08/00
	EA	6,171,340		McDowell	01/09/01
	EB	6,174,321		Webb	01/16/01
	EC	6,197,064		Haines	03/06/01
Examiner				Date Considered	

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Sheet	6	of	6	Attorney Docket Number	780-A03-012C
<b>U.S. PATENT DOCUMENTS</b>					
Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YY
	ED	6,205,411		DiGioia et al.	03/20/01
	EF	6,214,051		Badorf	04/10/01
	EG	6,228,121		Khalili	05/08/01
	EH	6,241,735		Marmulla	06/05/01
	EI	6,290,703		Ganem	09/18/01
	EK	6,325,806		Fox	12/04/01
	EL	6,328,572		Higashida	12/11/01
	EM	6,338,737		Toledano	01/15/02
	EN	6,391,040		Christodias	05/21/02
	EO	6,398,815		Pope et al.	06/04/02
	EP	6,406,495		Schoch	06/18/02
	EQ	6,409,722		Hoey	06/25/02
	ER	6,431,743		Mizutani	08/13/02
	ES	6,500,181		Portney	12/31/02
	ET	6,514,259		Picard et al.	04/04/03
	EU	6,616,696		Merchant	09/09/03
	EV	D462,767		Meyer	09/10/02
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	AA	3,811,449		Gravlee et al.	05/21/74	
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	AC	4,298,992		Burstein et al.	11/10/81	
	AD	4,373,709		Whitt	02/15/83	
	AE	4,457,302		Caspari et al.	07/03/84	
	AF	4,565,192		Shapiro	01/21/86	
	AG	4,574,794		Cooke et al.	03/11/86	
	AH	4,739,751		Sapega et al.	04/26/88	
	AI	4,979,949		Matsen, II et al.	12/25/90	
	AJ	5,007,912		Alberktsson et al.	04/16/91	
	AK	5,099,859		Bell	03/31/92	
	AL	5,154,717		Matsen, II et al.	10/13/92	
	AM	5,163,949		Bonutti	11/17/92	
	AN	5,171,244		Caspari et al.	12/25/92	
	AO	5,183,464		Dubrul et al.	02/02/93	
	AP	5,197,971		Bonutti	03/30/93	
	AQ	5,217,463		Mikhail	06/08/93	
	AR	5,228,459		Caspari et al.	07/20/93	
	AS	5,234,433		Bert et al.	08/10/93	
	AT	5,269,785		Bonutti	12/14/93	
	AU	5,282,803		Lackey	02/01/94	
	AV	5,282,866		Cohen et al.	02/01/94	
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	AW	5,285,773		Bonutti	02/15/94
	AX	5,295,994		Bonutti	03/22/94
	AY	5,304,181		Caspari et al	04/19/94
	AZ	5,308,349		Mikhail	05/03/94
	BA	5,320,611		Bonutti et al.	06/14/94
	BB	5,344,423		Dietz et al.	09/06/94
	BC	5,344,458		Bonutti	09/06/94
	BD	5,358,530		Hodorek	10/25/94
	BE	5,379,133		Kirk	01/03/95
	BF	5,395,401		Bahler	03/07/95
	BG	5,403,319		Matsen, III et al.	04/04/95
	BH	5,425,355		Kullick	06/20/95
	BI	5,445,639		Kuslich et al.	08/29/95
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	BN	5,520,692		Ferrante	05/28/96
	BO	5,520,694		Dance et al.	05/28/96
	BP	5,540,695		Levy	07/30/96
	BQ	5,549,683		Bonutti	08/27/96
Examiner				Date Considered	

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<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIP Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE STATEMENT  
IN AN APPLICATION**  
(use as many sheets as necessary)

Sheet

3

of

7

U.S. PATENT DOCUMENTS

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION</b> (use as many sheets as necessary)				Complete If Known	
Sheet	4	of	7	Attorney Docket Number	780-A03-012C
U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YY
	CM	6,012,456		Schuerch	01/11/00
	CN	6,013,103		Kaufman et al.	01/11/00
	CO	6,019,767		Howell	02/01/00
	CP	6,059,817		Bonutti et al.	05/09/00
	CQ	6,063,095		Wang et al.	05/16/00
	CR	6,086,593		Bonutti	07/11/00
	CS	6,099,531		Bonutti	08/08/00
	CT	6,102,850		Wang et al.	08/15/00
	CU	6,118,845		Simon et al.	09/12/00
	CV	6,159,246		Mendez et al.	12/12/00
	CW	6,174,314		Waddell	01/16/01
	CX	6,185,315		Schmucher et al.	02/06/01
	CY	6,187,023		Bonutti	02/13/01
	CZ	6,195,167		De Lega et al.	02/27/01
	DA	6,195,168		De Lega et al.	02/27/01
	DB	6,197,064		Haines et al.	03/06/01
	DC	6,198,794		Peshkin et al.	03/06/01
	DD	6,206,927		Fell et al.	03/27/01
	DE	6,211,976		Popovich et al.	04/03/01
	DF	6,258,127		Schmotzer	07/10/01
	DG	6,277,136		Bonutti	08/21/01
Examiner				Date Considered	

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<b>INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION</b> (use as many sheets as necessary)					
Sheet	6	of	7	Application Number	
				Filing Date	
				First Named Inventor	Peter M. Bonutti
				Group Art Unit	
				Examiner Name	Unknown
				Attorney Docket Number	780-A03-012C

OTHER REFERENCES - NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
	EA	The M/G Unicompartamental Knee – Minimally Invasive Surgical Technique – Publication date unknown, but before August 1, 2001.			
	EB	Scorpio Single Axis Total System – Passport Total Knee Instrumentation – Passport A.R Surgical Technique – Publication date unknown, but before August 1, 2001.			
	EC	NexGen Complete Knee Solution – Design Rationale – Publication date unknown, but before August 1, 2001.			
	ED	Insall/Burstein II Modular Knee System – Publication date unknown, but before August 1, 2001.			
	EE	NexGen Complete Knee Solution – Surgical Technique for the LPS-Flex Fixed Bearing Knee – Publication date unknown, but before August 1, 2001.			
	EF	NexGen Complete Knee Solution – Extramedullary/ Intramedullary Tibial Resector Surgical Technique – Publication date unknown, but before August 1, 2001.			
	EG	NexGen Complete Knee Solution – Multi-Reference <sup>TM</sup> 4-in-1 Femoral Instrumentation – Anterior Reference Surgical Technique – Publication date unknown, but before August 1, 2001.			
	EH	NexGen Complete Knee Solution – Intramedullly Instrumentation Technique – For the NexGen Cruciate Retaining & Legacy <sup>®</sup> Posterior Stabilized Knee – Publication date unknown, but before August 1, 2001.			
	EI	Surgical Navigation for Total Knee Arthroplasty – Believed to have been presented at the American Academy of Orthopedic Surgeons In February of 2001.			
	EJ	Operative Arthroscopy – John B. McGinty M.D. – Department of Orthopedic Surgery, Medical University of South Carolina, Charleston, South Carolina - © 1991 by Raven Press, Ltd., Page 9.			
	EK	The Series 7000 Total Knee System – Passport A.R. Total Knee Instruments - © Osteonics 1996			
	EL	Surgical Technique – Stryker <sup>®</sup> Howmedica Osteonics – Restoration TM T3 Femoral Component Using the Command <sup>®</sup> Instrument System, February 2000			
Examiner	Date Considered				

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